

4. Plaintiffs are “consumers” as defined in 15 U.S.C. § 1692a(3), as they are natural persons allegedly obligated to pay a debt.

5. At all relevant times, Defendant acted as a “debt collector” within the meaning of 15 U.S.C. § 1692a(6), in that it held itself out to be a company collecting a consumer debt allegedly owed by Plaintiffs to Maryland Utility Finance, LLC.

6. On information and belief, Defendant is a professional corporation of the State of Maryland, which is licensed to do business in Maryland.

COUNT I

(Violation of the Fair Debt Collection Practices Act)

7. On or about August 3, 2009 Defendant mailed a letter to Plaintiffs in an attempt to collect the aforementioned alleged debt. A copy of the said letter is attached hereto as Exhibit 1.

8. In said letter, Defendant threatened placement of a lien on Plaintiff’s property if full payment of the alleged debt was not be received within 15 days of the date of the letter. Defendant further implied in said letter that after placement of the lien, a foreclosure action could be instituted against Plaintiffs’ property.

9. In said letter, Defendant also partially advised Plaintiffs of their right to dispute and request verification of the alleged debt, as is required by 15 U.S.C. § 1692g(a). However, the language used by Defendant is not in accordance with the language required by that section of the FDCPA.

10. In its attempts to collect the aforementioned alleged debt, Defendant violated the FDCPA in one or more of the following ways:

- a. Participating in collection activities which overshadowed and/or were inconsistent with Plaintiffs' right to dispute the debt or to request the name and address of the original creditor, in violation of 15 U.S.C. § 1692g(b);
- b. Failing to provide a proper written notice to Plaintiffs, as is required by 15 U.S.C. § 1692g(a); and
- c. By acting in an otherwise deceptive, unfair and unconscionable manner and failing to comply with the FDCPA.

11. As a result of Defendant's violations as aforesaid, Plaintiffs have suffered and continue to suffer personal humiliation, embarrassment, mental anguish and emotional distress.

WHEREFORE, Plaintiffs, LEONARD STEWART and JENNIFER STEWART, respectfully pray for a judgment as follows:

- a. All actual compensatory damages suffered;
- b. Statutory damages of \$1,000.00 for each violation of the FDCPA;
- c. All reasonable attorneys' fees, witness fees, court costs and other litigation costs incurred by Plaintiffs; and
- d. Any other relief deemed appropriate by this Honorable Court.

JURY DEMAND

Pursuant to Civil Rule 38, Plaintiffs hereby demands a trial by jury on all issues in this action, except for any issues relating to the amount of attorneys' fees and litigation costs to be awarded should Plaintiffs prevail on any of their claims in this action.

Respectfully Submitted,

/s/ Mitchel E. Luxenburg
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